

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21814 of 2023

Arising Out of PS. Case No.-159 Year-2022 Thana- RAGHUNATHPUR District- Siwan

1. Guddu Nut (M), aged about 22 years,
2. Chhoto Nut @ Chhotu Hussain (M), aged about 19 years,
3. Niyajul Nut @ Sonu Hussain (M) aged about 18 years,
4. Antabha Nut (M), aged about 19 years,
All sons of Fulamahamad @ Bagha Nut, residents of Village: Amahara
Nikhti Kalan, P.S: Raghunathpur, District: Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Arjun Prasad, learned counsel appearing
on behalf of the petitioners and Mr. Satyendra Narayan Singh,
learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Raghunathpur P.S. Case No. 159 of 2022 dated 17.07.2022
registered for the offence punishable under Sections 341, 323,
307, 504, 506 and 34 of the Indian Penal Code.

3. Prosecution story, in brief, is that the accused
persons named in the FIR including the petitioners had assaulted
the family members of the informant. All the accused persons
had assaulted the mother of the informant and grandfather of the



informant. The mother of the informant had sustained grievous injury.

4. Learned counsel appearing on behalf of the petitioners submitted that due to land dispute both the parties were on inimical terms and on the alleged date of incidence, they were engaged in fierce fight in which the family members of the informant had sustained injury. Learned counsel further submitted that general and omnibus allegation has been levelled against all the accused persons named in the FIR. Petitioners have no criminal antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the nature of allegation made against the petitioners as well as the injury report which has been brought on record and no specific allegation has been made against the above named petitioners, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The Court below is directed to verify the criminal antecedent of the petitioners as well as also call upon the injury report of the informant. If it is found that no specific allegation



is made against the above named petitioners, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VIII, Siwan in connection with Raghunathpur P.S. Case No. 159 of 2022 dated 17.07.2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/Nilmani

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